

PATENT  
KEL01 P-145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Leahy  
International Application No. : PCT/EP2004/04381  
International Filing Date : April 22, 2004  
U.S. Serial No. : 10/553,941  
U.S. Filing Date : October 20, 2005  
For : A DEVICE AND METHOD FOR USE IN SURGERY  
Customer No. : 28101

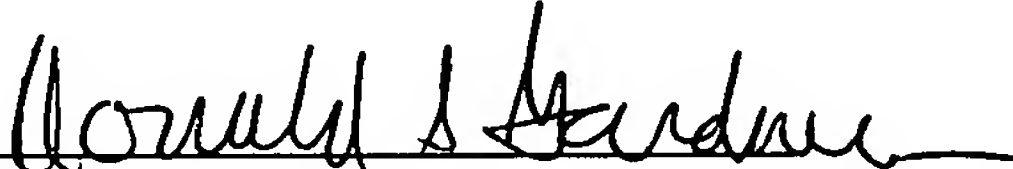
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I certify that the attached return postal card, Response to the Notification of Missing Requirements Under 35 U.S.C. 371, signed Declaration and Power of Attorney and copy of Submittal of Declaration and signed Declaration mailed March 15, 2007, with Certificate of Mailing as previously submitted are being deposited with the United States Postal Service via First Class Mail in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on August 15, 2007.

  
Donald S. Gardner  
Reg. No. 25 975  
Van Dyke, Gardner, Linn & Burkhart, LLP  
2851 Charlevoix Drive, S.E.  
P.O. Box 888695  
Grand Rapids, MI 49588-8695  
(616) 975-5502

DSG/ram/arr  
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Leahy  
International Application No. : PCT/EP2004/04381  
International Filing Date : April 22, 2004  
U.S. Serial No. : 10/553,941  
U.S. Filing Date : October 20, 2005  
For : A DEVICE AND METHOD FOR USE IN SURGERY  
Customer No. : 28101


Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I certify that the attached return postal card, Submittal of Declaration and executed Declaration are being deposited with the United States Postal Service via First Class Mail in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on MARCH 15, 2007.

  
Donald S. Gardner  
Reg. No. 25 975  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2851 Charlevoix Drive, S.E.  
P.O. Box 888695  
Grand Rapids, MI 49588-8695  
(616) 975-5502

DSG/ram  
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Leahy  
International Application No. : PCT/EP2004/04381  
International Filing Date : April 22, 2004  
U.S. Serial No. : 10/553,941  
U.S. Filing Date : October 20, 2005  
For : A DEVICE AND METHOD FOR USE IN SURGERY  
Customer No. : 28101

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

SUBMITTAL OF DECLARATION

This application was filed with a Declaration not signed by the Applicant. A fully executed Declaration document [Form PTO SB/01(04-5)] is enclosed herewith.

Please enter this Declaration in the above identified patent application.

Respectfully submitted,

PATRICK LEAHY

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

MARCH 15, 2007  
Date

Donald S. Gardner  
Donald S. Gardner  
Reg. No. 25 975  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2851 Charlevoix Drive, S.E.  
P.O. Box 888695  
Grand Rapids, MI 49588-8695  
(616) 975-5502

DSG/ram  
Enclosure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patrick Leahy  
International Application No. : PCT/EP2004/04381  
International Filing Date : April 22, 2004  
U.S. Serial No. : 10/553,941  
U.S. Filing Date : October 20, 2005  
Title : A DEVICE AND METHOD FOR USE IN SURGERY  
Customer No. : 28101

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371

Responsive to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected office mailed August 10, 2007, enclosed herewith is a signed Declaration for the above-identified application which was not available at the time of filing:

Also enclosed is the required copy of the NOTIFICATION OF MISSING REQUIREMENTS. It is noted that a signed copy of the Declaration submitted herewith was previously submitted in this application as of March 15, 2007, prior to receiving the Notification of Missing Requirements as set forth above. A copy of the submittal with signed Declaration and Certificate of Mailing as mailed March 15, 2007, is attached. To date, that previously submitted signed Declaration has not been matched up with this application.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Account No. 22-0190. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PATRICK LEAHY

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

8/15/07  
Date

Donald S. Gardner  
Donald S. Gardner  
Reg. No. 25 975  
Van Dyke, Gardner, Linn & Burkhardt, LLP  
2851 Charlevoix Drive, S.E.  
P.O. Box 888695  
Grand Rapids, MI 49588-8695  
(616) 975-5502

DSG/ram/arr  
Enclosure